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June 27, 2024

VIA ECF

Hon. Mae A. D'Agostino, U.S.D.J.
United States District Court, Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway
Albany, New York 12207

**Re: *Telebrands Corporation v. BHSD Trading LLC*,
Civil Action No. 1:23-cv-00225-MAD-CFH**

Dear Judge D'Agostino:

We represent Plaintiff Telebrands Corporation (“Plaintiff”) in the above-referenced action against Defendant BHSD Trading LLC (“Defendant”).

Pursuant to Magistrate Judge Hummel’s Text Minute Entry dated June 7, 2024, Plaintiff respectfully submits this letter to request a briefing schedule to be set for Plaintiff’s anticipated motion for damages, attorneys’ fees and costs.

On October 10, 2023, the Court issued a Memorandum-Decision and Order: (1) granting Plaintiff’s Motion for Default Judgment as to liability, (2) entering an injunction against Defendant, (3) granting Plaintiff’s request to obtain damages discovery from Defendant and referring the case to Magistrate Judge Hummel for the purpose of overseeing damages discovery, and (4) ordering Plaintiff to file its motion for damages, attorneys’ fees and costs upon the completion of damages discovery when and if it becomes clear to Plaintiff that motion practice on damages has become necessary. *See* Dkt. No. 19, at 6-8.

Since the Court’s October 10, 2023 Order, Plaintiff has obtained damages discovery from Defendant. The parties have also engaged in extensive settlement discussions in an attempt to resolve the case during this time. Unfortunately, however, the parties have not been able to resolve the case. Accordingly, now that Plaintiff has obtained damages discovery from

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Defendant, Plaintiff is prepared to file its motion for damages, attorneys' fees and costs, and respectfully requests the Court to enter the below briefing schedule for Plaintiff's anticipated motion.

Event	Deadline
Plaintiff files its motion for damages, attorneys' fees, and costs	Friday, July 26, 2024
Telephonic hearing on Plaintiff's motion for damages, attorneys' fees, and costs	Set by the Court, if necessary

We have only proposed a deadline for an opening brief because, as confirmed by Magistrate Judge Hummel, Defendant has defaulted and has already been found to be liable for patent infringement and, therefore, is not permitted to contest the damages part of the case.

We thank the Court for its consideration. Should the Court have any questions, we are available at the Court's convenience.

Respectfully submitted,



Michael J. Zinna